

REMARKS

Applicant acknowledges the Examiner's acceptance of Applicant's replacement drawings and withdrawal of the previous objections to the drawings. Applicant also acknowledges the Examiner's acceptance of Applicant's amendment to the specification to correct a minor informality as set forth in the previous Office Action and that this previous objection has likewise been withdrawn.

Currently, claims 11, 15-19, 21, 22, 26, 34 and 39 are pending in the application. Claims 1-10 and 27-29 stand withdrawn from consideration as relating to non-elected claims.

Claims 11, 15, 16, 19, 21, 22, 26, 34 and 39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Fontana reference in view of newly cited U.S. Patent Application Publication No. 2003/0118795 to Wright et al. (the Wright reference). Claims 17 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fontana and Wright as applied to claim 11, and further in view of the previously cited Stinson reference. In light of the prior art cited against the present claims as explained below, Applicant has further amended independent claims 11, 26 and 34. Applicant has cancelled claim 39.

For all of the reasons set forth in Applicant's previous response received February 1, 2007, which reasons are incorporated herein by reference, and as the Examiner correctly points out, the Fontana reference does not disclose selecting information for printing onto a label from any type of a computer database. Also, importantly, the overall structure of the Fontana label or business form 30 including its associated tear-off portions, as previously explained, is different

from the fabric label disclosed and claimed in the present application. Nevertheless, in any event, as the Examiner has suggested, Fontana does not disclose expressly selecting information for a fabric label from a computer database and controlling access to the specific information that is directed to a single product from the database so that different users can only create and print product labels for the attachment to or association with a product that has been authorized for each particular user. Instead, the Examiner relies upon the Wright reference for this disclosure.

In reviewing the Wright reference, the Examiner relies upon Fig. 5 and Para. 29 for this disclosure. Fig. 5 of the Wright reference sets forth the entire mattress label system disclosed therein. In reviewing Fig. 5, it is important to note that once a user accesses the database, the user merely enters the SKU number for the particular product of interest and once that SKU number has been entered, the database brings up the description to be printed for that particular SKU number. Nothing else is displayed, selected, and/or verified before printing. As clearly set forth in Fig. 5 of the Wright reference, once the SKU number is entered and the one description is displayed, the user adds the number of each item to the shopping cart and then the user gives the command to print the labels.

The present process is more sophisticated and is disclosed in Figs. 4, 4A and 4B of the present application. In total contrast to the disclosure in the Wright reference, a user of Applicant's system is allowed to view all fabric labels available to that specific user for a wide variety of different products, each fabric label having a plurality of product specific information available for selection by a user for that specific fabric label. See, Fig. 4A, Ref. No. 110. See, also, Fig. 6, Function 216 and Figs. 8, 8A, 8B and 8C for illustrative examples of various fabric labels that can be viewed by the user. See, also, Para. 44 of the present application. As clearly

set forth in Reference No. 116 of Fig. 4A, a user can review all of the specific product information associated with a selected fabric label, not just the description associated with a specific SKU number as is true in the Wright system. Still further, all of the specific product information available for printing onto the selected specific fabric label is displayed to the user and the user can then select the specific product information that is appropriate or directed to a single product from that database. In this regard, underneath each fabric label of Figs. 8, 8A, 8B and 8C is a hyperlink that directs the user to the selection of product specific information that is available for printing on that specific fabric label. See, Figs. 9, 9A, 9B, 9C and 9D and Para. 44-47 of the present application.

Still further, and importantly, unlike the Wright system, a user of the present system can view and verify the product information prior to printing. See, Ref. No. 122, in Fig. 4B. No such step is available in the Wright system set forth in Fig. 5.

In addition, as set forth in Ref. No. 124 in Fig. 4B, the customer can likewise pick the correct format of the pre-printed fabric label that correlates with the specific product information, such as a rectangular format, oval format, square format, triangular format, and so forth. Clearly, this step is not available in the Wright system. All of these additional features have been added, in some fashion, to the three remaining independent claims in the present application and such additional amendments have been necessitated because of the new grounds of rejection set forth in this Office Action. As will be further explained below, each of the presently pending independent claims 11, 26 and 34 contain process steps as described above which clearly and patentably distinguish Applicant's processes over the processes disclosed in the Fontana and Wright references.

Independent claims 11, 26 and 34 as currently amended now specifically require that the process for creating and printing a label display all fabric labels from a computer database at a first location available to a specific user, or as recited in claim 34, a plurality of fabric labels, each fabric label having a plurality of product specific information available for selecting by a user for that specific fabric label. This enables a user to view all fabric labels under its control and to identify and select the appropriate labels needed for printing without having to know a particular SKU number for that particular product. It also enables a user to compare different product labels at a glance, a feature not available with the Wright system. The Wright label system is very simplistic and, as set forth in Fig. 5, and as explained in Para. 29, merely allows a manufacturer to enter a SKU number to generate and view one specific product description. There is no disclosure whatsoever in the Wright reference or the Fontana reference, for viewing and displaying a plurality of fabric labels at once, including viewing and displaying a plurality of product specific information available for selection for each plurality of fabric labels under the control of that particular user. For this reason alone, claims 11, 26 and 34 are clearly and patentably distinguishable over both the Fontana and Wright references, either alone or in combination.

Independent claim 11 also further specifically requires that the process display all specific product information available for printing onto the selected specific fabric label. Here again, this is not possible in the Wright system of Fig. 5 wherein viewing a plurality of fabric labels or a plurality of specific product information available for printing onto a specific fabric label is not possible. A user must enter a specific SKU number into the Wright database which then displays a single product specific information for printing onto a label. There is no



disclosure, motivation, or suggestion in the Wright reference to display and view all fabric labels available to a specific user at a first location; to view a plurality of product specific information available for each specific fabric label; to display all specific product information available for printing onto a specific selected fabric label; to select the specific product information that is directed to a single product; and then thereafter to print that selected specific product information onto the selected label using a laser jet printer at the first location. These features clearly and patentably distinguish claim 11 over the cited Fontana and/or Wright references, either alone or in combination.

Similarly, independent claim 26 includes all of the limitations discussed above with respect to claim 11 including displaying all fabric labels from a computer database from a first location available to a specific user, each fabric label having a plurality of specific mattress information available for selection by a user for that specific fabric label, thereafter selecting a specific mattress fabric label from the computer database and thereafter displaying all specific mattress information available for printing onto the selected specific mattress fabric label. Here again, this is not possible with the Wright system. Once all specific mattress information available for printing onto a selected specific mattress fabric label is displayed, the user then selects the specific mattress information that is directed to a single mattress of interest and thereafter prints that specific mattress information onto the previously selected specific mattress fabric label. Again, this is not possible with the Wright system.

In this regard, it is important to note that in both claims 11 and 26, there is a double selection process initiated by the user. In other words, the user first selects the specific fabric label from a plurality of fabric labels under the user's control and displayed in the computer

database, this first selected fabric label including general product information (printed at a second location) that is applicable to a plurality of products and likewise having a laser jet toner receptive coating associated therewith. Once this specific fabric label is selected, the user then views a plurality of specific product information available for printing onto that selected specific fabric label and then selects the specific product information that the user wants to print onto the selected specific fabric label. This is not possible with any of the cited prior art including the cited Fontana and Wright references. In Wright, as clearly disclosed in Fig. 5, there is no double selection process. A user merely enters the SKU number and one specific description is displayed for printing.

Still further, claim 26 also further includes the step of verifying the selected specific mattress information prior to printing. Here again, no verification step is disclosed in the Wright system.

Independent claim 34 likewise includes the limitations discussed above with respect to claims 11 and 26 including displaying a plurality of fabric labels having general product information associated therewith, each fabric label having a plurality of specific product information available for selection by the user for that specific fabric label; selecting one fabric label and displaying the plurality of specific product information available for printing onto the selected fabric label; and thereafter selecting the specific product information that is directed to a single product from the plurality of specific product information at the first location. Claim 34 further includes the additional step of selecting the correct format of the selected fabric label that correlates with the specific selected product information. See, Fig. 4B, Ref. No. 124. This step enables the user to make sure that the specific product information comports with the selected

fabric label and the space available for printing the selected specific product information. Here again, this format correlation is not disclosed, taught or even suggested in the Wright reference. For this reason alone, independent claim 34 is likewise clearly and patentably distinguishable over both the Fontana and Wright references, either alone or in any combination.

Also, importantly, it should be noted that all three independent claims 11, 26 and 34 specifically recite that at least a portion of the top side of each fabric label includes a laser jet toner receptive coating and that all of the printing of the subject labels is done by a laser jet printer. Although the Wright reference eludes to the fact that laser printing of the label could be used for articles where very high crock resistance is not needed, its total disclosure is related to ink jet printing and the toner receptive coating disclosed therein is for ink jet printing. The toner receptive coating for laser jet printing is totally different as compared to ink jet printing. The print receptive coating disclosed in Wright is specifically directed to ink jet printing and there is no disclosure as to use of a laser jet toner receptive coating in combination with laser jet printing to produce the results achieved by the present invention. At best, the Wright reference suggests that a laser jet printer could be used in combination with the ink jet print receptive coating 32 disclosed in paragraph 25 to produce a sub-standard label. All of the claims of the present application require laser jet toner receptive coatings and laser jet printing onto the fabric label.

Dependent claims 15-19, 21 and 22 all depend, either directly or indirectly, from independent claim 11 and contain still further limitations thereto. Since independent claim 11 should now be in allowable condition, all dependent claims are likewise in allowable condition.

Applicant likewise incorporates herein by reference the law on obviousness set forth in Applicant's previous response received February 1, 2007 on pages 21-25 of such response. Even

in light of the recent decision in the KSR case, the Patent Examiner is still required to articulate a reason, motivation, or rationale for combining references in an obviousness rejection. Again, the combination of combining the Fontana and Wright references does not yield a process for creating and printing a fabric label as now recited in independent claims 11, 26 and 34. It is the combination of the specific computer data features defined in all of the present independent claims along with the ability to either create and print or display and print such specific product or mattress information directly onto a specific product or mattress fabric label that is unique and novel with respect to the present process. For all of the reasons set forth above, it is Applicant's position that the Fontana and Wright references, either alone or in combination, do not disclose the computer database features as defined in all of the presently pending independent claims in the present application for the specific applications defined therein nor do such references provide the necessary suggestion and/or motivation for creating, displaying, and printing fabric labels as specifically defined and claimed in the presently pending claims. The Wright system is a very simplistic system as defined in Fig. 5 and does not include many of the features and steps recited in the presently pending independent claims, which features add novelty, value and flexibility to the overall process. As a result, it would not have been obvious to a person skilled in the art to combine Wright and Fontana to obtain the invention as claimed in independent claims 11, 26 and 34.

It is therefore now believed that all claims in the present application, namely, claims 11, 15-19, 21, 22, 26 and 34 contain limitations and restrictions which patentably distinguish them over the cited prior art including the Fontana and Wright references. None of the cited references, either alone or in any combination thereof, disclose or suggest all of the novel



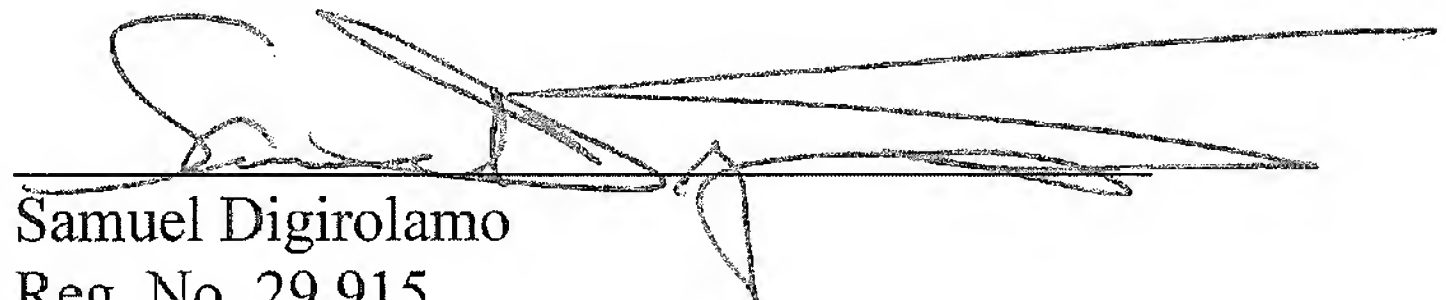
Application of: Thayer A. Coburn  
Serial No.: 10/707,616  
Amendment B

features associated with the present process, nor do the prior art constructions provide the specific advantages and objectives obtained by the present process. Favorable action and allowance of the claims is therefore respectfully requested.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Respectfully submitted,

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